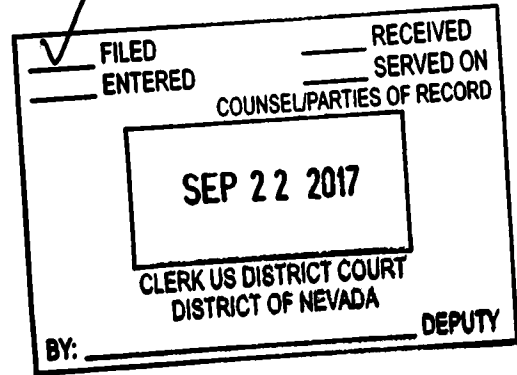


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7



8  
9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
11

12 \*\*\*

13 NATIONSTAR MORTGAGE LLC and  
14 FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, a government sponsored  
enterprise,

15 Plaintiff,

16 vs.

17 HIGHLAND RANCH HOMEOWNERS  
18 ASSOCIATION; and AIRMOTIVE  
INVESTMENTS, LLC,

19 Defendants.

Case No. 3:17-cv-00287-LRH-VPC

20 **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY**  
21 **FOR CASE MANAGEMENT CONFERENCE**

22 COMES NOW, Defendant, AIRMOTIVE INVESTMENTS, LLC, by and through its  
23 attorneys, ROGER P. CROTEAU & ASSOCIATES, LTD., and hereby presents its Motion for  
24 Leave to Appear Telephonically for the Case Management Conference that is scheduled to take  
25 place on October 3, 2017, at 9:30 a.m. This Motion is made and based upon the attached  
26 memorandum of points and authorities, all pleadings, papers and documents on file herein, and  
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1 any oral argument that the Court may entertain at the hearing of this matter.

2 DATED this 20<sup>th</sup> day of September, 2017.

3 ROGER P. CROTEAU & ASSOCIATES, LTD.

4  
5 /s/ Timothy E. Rhoda

6 ROGER P. CROTEAU, ESQ.

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13 *Attorney for Defendant*

14 AIRMOTIVE INVESTMENTS, LLC

15  
16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 **STATEMENT OF FACTS**

18 On September 12, 2017, this Court issued a Minute Order [ECF #17] scheduling a Case  
19 Management Conference in this matter to take place on October 3, 2017, at 9:30 a.m. The  
20 Minute Order further directs that the parties shall jointly file a Case Management Report no later  
21 than the close of business on September 22, 2017. Finally, the Minute Order directs that counsel  
22 shall appear in person in Reno unless leave to appear telephonically is obtained prior to the  
23 conference.

24 As the Court is aware, Defendant's counsel's office is located in Las Vegas. Counsel is  
25 aware of the fact that this Court has been frustrated on occasion by tardiness on the part of Las  
26 Vegas counsel with regard to these matters. To the best of Defendant's counsel's knowledge, it  
27 has not been an offender in this regard. As a result, Defendant's counsel respectfully moves the  
28 Court for leave to appear at the subject Case Management Conference telephonically.

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**LEGAL ARGUMENT**

**1. GOOD CAUSE EXISTS TO ALLOW DEFENDANT'S COUNSEL TO PARTICIPATE TELEPHONICALLY AT THE CASE MANAGEMENT CONFERENCE**

As set forth in the Minute Order, it is the responsibility of the Plaintiff to initiate and prepare the Joint Case Management Report, and the responsibility of the Defendants to assist in preparation of the report. [ECF #17]. The parties submitted a Case Management Report and Proposed Discovery Plan on September 19, 2017. [ECF #20, 21]. Defendant's counsel has calendared the conference and, if granted leave to do so, will timely contact the Court telephonically in advance of the conference as it may be instructed to do.

Having participated in many Case Management Conferences with this Court, counsel is aware of the fact that the conference itself is generally brief. This Court is well aware of the costs that would be incurred by the Defendant if its counsel is required to travel to Reno to attend the Case Management Conference in person. While Defendant's counsel is aware that the Court has experienced tardiness and abuse of the privilege of appearing telephonically in the past, Defendant's counsel does not believe itself to be an offender in this regard. As a result, Defendant respectfully suggests that good cause exists to allow its counsel to appear telephonically at the time of the Case Management Conference.

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**CONCLUSION**

Based upon the foregoing, Defendant's counsel respectfully requests leave of Court to appear telephonically at the time of the Case Management Conference that is scheduled to take place herein on October 3, 2017, at 9:30 a.m.

DATED this 20<sup>th</sup> day of September, 2017.

ROGER P. CROTEAU & ASSOCIATES, LTD.

/s/ Timothy E. Rhoda  
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*Attorney for Defendant*  
AIRMOTIVE INVESTMENTS, LLC

IT IS SO ORDERED.

By:   
United States Magistrate Judge  
Valerie P. Cooke

Dated: September 22, 2017

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 20<sup>th</sup> day of September, 2017, I served via the United States District Court CM/ECF electronic filing system, the foregoing **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY FOR CASE MANAGEMENT CONFERENCE** to the following parties:

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